

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 EURE-00 SSO-00 NSCE-00 USIE-00 INRE-00

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DODE-00 IO-14 DRC-01 /118 W

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FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 4365

USMISSION NATO BRUSSELS IMMEDIATE

USMISSION BERLIN PRIORITY

AMEMBASSY LONDON PRIORITY

AMEMBASSY PARIS PRIORITY

AMEMBASSY MOSCOW PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BONN 12719

E.O. 11652: GDS

TAGS: PFOR, WB, GW, GE,US, UK, FR, UR

SUBJECT: BRIEFING FOR NATO ON BERLIN TRANSIT DIFFICULTIES

REF: A) STATE 173775, B) BONN 12497

1. AT BONN GROUP MEETING AUGUST 9, US, UK, AND FRG REPS REPORTED AGREEMENT THEIR AUTHORITIES TO TEXT REFTEL B, BUT FRENCH REP SAID PARIS WOULD BE SENDING SOME INSTRUCTIONS REFLECTING A DESIRE FOR CHANGES IN TEXT. PARIS WAS ALSO OPPOSED TO PASSING IN NATO ACTUAL TEXTS OF ALLIED ORAL STATEMENTS MADE TO SOVIETS. ALL REPS SUBSEQUENTLY AGREED THAT TEXT OF 5 AUGUST NOTE WOULD BE PARAPHRASED IN BODY OF BRIEFING PAPER FOR NATO (THIS WAS PROCEDURE FOLLOWED IN BRIEFING OF FEB 12) AND THAT THE EARLIER ALLIED ORAL NOTES WOULD ALSO NOT REPEAT NOT BE PASSED IN NATO. PRESENT BRIEFING WOULD THUS CONSIST OF BASIC PAPER PLUS ANNEXES A THRU C.

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2. AT MEETING MONDAY AUG 12, FRENCH REP INTRODUCED CHANGES WHICH, IN THE INTEREST OF TIME, WERE AGREED BY OTHERS. BEGIN TEXT:

I. ON 12 FEBRUARY WE CIRCULATED A REPORT ON DIFFICULTIES EXPERIENCED EARLIER THIS YEAR ON THE TRANSIT ROUTES BETWEEN BERLIN AND THE FRG AND THEIR CONNECTION WITH THE ESTABLISHMENT OF THE FEA IN THE WSB.

II. REACTIONS OF THE SOVIET UNION AND THE GDR TO THE ESTABLISHMENT OF THE FEA:

(A) AFTER THE CONCLUSION OF THE NECESSARY LEGISLATIVE PROCESSES THE FEA WAS FORMALLY ESTABLISHED IN THE WSB ON 25 JULY 1974.

(B) ON 20 AND 21 JULY RESPECTIVELY THE SOVIET MINISTRY OF FOREIGN AFFAIRS AND THE GDR GOVERNMENT ISSUED STATEMENTS (ANNEXES A AND B) DENOUNCING THE ESTABLISHMENT OF THE FEA IN THE WSB AS A VIOLATION OF THE QA. THE GDR STATEMENT SAID THAT THE USE OF THE TRANSIT ROUTES BY MEMBERS OF THE FEA STAFF AND THE TRANSIT OF GOODS DESTINED FOR THE AGENCY WOULD BE REGARDED AS UNLAWFUL. THE SOVIET STATEMENT REFERRED IN MORE GENERAL TERMS TO MEASURES TO SAFEGUARD LEGITIMATE INTERESTS OF THE SOVIET UNION AND OF THE GDR.

III. EVENTS ON THE TRANSIT ROUTES:

BETWEEN 26 AND 31 JULY OVER 40 INCIDENTS INVOLVING TRAVELLERS AND LORRY DRIVERS ON THE TRANSIT ROUTES WERE REPORTED TO THE FEDERAL GOVERNMENT. QUESTIONING DESIGNED TO ASCERTAIN WHETHER OR NOT THEY WERE MEMBERS OF THE FEA OR WERE TRANSPORTING GOODS DESTINED FOR IT CAUSED DELAYS OF AN HOUR OR MORE. ON 29 JULY A MEMBER OF THE FEA WAS DENIED USE OF THE TRANSIT ROUTES ON GROUNDS OF "THE ILLEGAL ESTABLISHMENT OF THE FEA IN WEST BERLIN".

IV. CONTACTS BETWEEN THE FRG AND THE GDR:

(A) ON 22 JULY THE HEAD OF THE FRG PERMANENT REPRESENTATION MADE A DEMARCHE TO THE GDR MINISTRY OF FOREIGN AFFAIRS WITH REFERENCE TO THE GDR STATEMENT OF 20 JULY. HE POINTED OUT THAT THE ACTION ANNOUNCED

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IN THE GDR STATEMENT WOULD REPRESENT A VIOLATION OF THE TRANSIT TRAFFIC AGREEMENT. THE GDR REPRESENTATIVE MAINTAINED HIS GOVERNMENT'S POSITION.

(B) TWO TELEGRAMS ON 26 AND 28 JULY FROM THE HEAD OF THE FRG DELEGATION IN THE TRANSIT COMMISSION TO THE HEAD OF THE GDR DELEGATION REMAINED UNANSWERED. ON 30 JULY, IN VIEW OF THE EXCLUSION OF A MEMBER OF THE FEA STAFF FROM THE TRANSIT ROUTES, THE FEDERAL

GOVERNMENT CALLED FOR A SPECIAL MEETING OF THE TRANSIT COMMISSION. THIS MEETING, WHICH TOOK PLACE IN EAST BERLIN ON 6 AUGUST, WAS NOT ABLE TO OVERCOME THE DIFFERENCES OF VIEW ABOUT THE INCIDENTS WHICH HAD OCCURRED ON THE TRANSIT ROUTES. THE FRG REPRESENTATIVE DECLARED THAT IN THESE CIRCUMSTANCES HE WOULD NEED TO SUBMIT THE ISSUE TO HIS GOVERNMENT FOR FURTHER

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CONSIDERATION.

(C) THE HEAD OF THE FRG PERMANENT REPRESENTATION HAD MADE A SECOND DEMARCHE ON 2 AUGUST TO THE GDR MINISTRY OF FOREIGN AFFAIRS PROTESTING AGAINST THE DELAYS IN THE TRANSIT TRAFFIC AND AGAINST THE EXCLUSION OF A TRAVELLER FROM THE TRANSIT ROUTES.

V. ACTIONS OF THE THREE POWERS:

(A) ON 24 JULY THE EMBASSIES OF THE THREE POWERS IN BONN ISSUED A STATEMENT SETTING OUT THEIR LONG-STANDING POSITION (ANNEX C).

(B) ON 5 AUGUST THE AMBASSADORS OF THE THREE POWERS IN MOSCOW MADE IDENTICAL ORAL DEMARCHES TO THE SOVIET MINISTRY OF FOREIGN AFFAIRS. THEY EMPHASIZED THAT THE GDR MAY NEITHER CLAIM ANY RIGHTS IN REGARD TO THE APPLICATION OF PART IIB OF THE QA AND THE DOCUMENTS ASSOCIATED WITH THAT PART OF THE AGREEMENT (WHICH CONFIDENTIAL

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PROVIDE FOR THE MAINTENANCE AND DEVELOPMENT OF THE TIES BETWEEN THE WESTERN SECTORS OF BERLIN AND THE FRG) NOR TAKE MEASURES IN CONTRAVENTION OF THE PROVISIONS OF THE QA, INCLUDING PART IIA, IN WHICH THE SOVIET GOVERNMENT HAS DECLARED THAT THE TRANSIT OF CIVILIANS AND GOODS BETWEEN THE WSB AND THE FRG WILL BE UNIMPEDED. THEY REAFFIRMED THE POSITION OF THE THREE GOVERNMENTS, WHICH HAD ALREADY BEEN CONVEYED TO THE SOVIET GOVERNMENT, THAT THE ESTABLISHMENT OF THE FEA IN THE WSB DOES NOT CONTRAVENE ANY PROVISION OF THE QA AND ITS ASSOCIATED DOCUMENTS, BUT THAT THE EXCLUSION FROM THE TRANSIT ROUTES OF EMPLOYEES OF THE FEA CONSTITUTES A VIOLATION OF THE QA. IN ADDITION, THE THREE AMBASSADORS STATED THAT THE DELAYS WHICH HAD OCCURRED AS A RESULT OF THE QUESTIONING OF TRAVELLERS IN CONNECTION WITH THE FEA WERE ALSO IN CONTRAVENTION OF THE QA. THE THREE GOVERNMENTS CALLED ON THE SOVIET GOVERNMENT TO FULFILL ITS RESPONSIBILITY TO ENSURE THAT IN ACCORDANCE WITH THE QA TRANSIT TRAFFIC OF CIVILIANS AND GOODS BETWEEN THE WSB AND THE FRG REMAINED UNIMPEDED. END TEXT

3. COMMENT AND RECOMMENDATION: FRENCH REP UNABLE GIVE ANY REAL EXPLANATION OF WHY PARIS FAVORED SHORTENING OF TEXT, AND OTHER REPS ALL NOTED IT WAS A PITY THAT PART III, PARTICULARLY, WAS SHORTENED. ALL REPS AGREED, HOWEVER, THAT WE SHOULD GET ON WITH THE MATTER AND AGREED TO RECOMMEND ABOVE TEXT. RE MODALITIES, BOTH UK AND FRENCH INSIST THAT CHAIRMAN OF BONN GROUP (FRENCH THIS WEEK) SHOULD BE ORGANIZER IN NATO, AND TO AVOID A FUSS EMBASSY RECOMMENDS THAT WE AGREE TO HAVING FRENCH CIRCULATE PAPER ON BEHALF OF THE FOUR.
HILLENBRAND

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